
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

EARNEST BLOSSOM,

Plaintiff,

v.

**ONYX ENVIRONMENTAL SERVICES,
et al.,**

Defendants.

**ORDER AFFIRMING
REPORT & RECOMMENDATION**

Case No. 2:06cv617DAK

This case was assigned to United States District Court Judge Dale A. Kimball, who then referred it to United States Magistrate Judge Paul Warner under 28 U.S.C. § 636(b)(1)(B). Plaintiff's Complaint alleges causes of action for racial discrimination and wrongful termination.

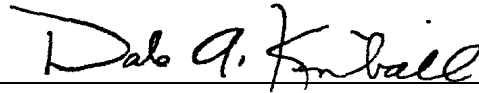
On August 8, 2007, Magistrate Judge Warner issued a Report and Recommendation concluding that Plaintiff's Complaint fails to allege any factual information to support his claims for relief. Magistrate Judge Warner recommended that Plaintiff's Complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) because the failure to include such support resulted in Plaintiff's failure to state a claim upon which relief can be granted.

The Report and Recommendation notified the parties that any objection to the Report and Recommendation was required to be filed within ten days of receiving it. On August 17, 2007, Plaintiff filed a request for "an extension of [his] Complaint" because he had obtained an attorney to represent him and he was gathering paperwork to support his allegations.

To date, however, Plaintiff has not filed anything in support of his case. More than two months have passed since Plaintiff's request. The court has reviewed the case *de novo* and concludes that Plaintiff's Complaint should be dismissed. The court agrees with the Report and Recommendation and hereby adopts it as the order of the court. Accordingly, Plaintiff's Complaint is dismissed.

DATED this 22nd day of October, 2007.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge